

ROBERT WISNIEWSKI P.C.
ATTORNEYS-AT-LAW

40 WALL STREET, SUITE 2833 • NEW YORK, NY 10005
TEL: (212) 267-2101 • FAX: (646) 512-5604
WEBSITE: www.rwapc.com

March 9, 2020

Hon. Robert W. Lehrburger, USMJ
United States District Court
Southern District of New York
500 Pearl Street, Room 1960
VIA ECF

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 3-10-2020

Re: **Wilson et. al. v. Pasquale DaMarino et. al.**
SDNY Docket No.: 10-CV-2709(PGG)(RWL)

Dear Judge Lehrburger,

I represent Plaintiffs in the above-captioned matter. Please accept this letter as a status report and the parties' joint request to extend the time to file a motion for *Cheeks* review by the end of March, 2020.

As Your Honor will recall, Plaintiffs reached an agreement in principle to settle the case with Craig Perri and Fratelli Italiani LLC (the "Perri Defendants") at a settlement conference presided over by Your Honor. While counsel for the respective parties were negotiating the text of the settlement agreement, my bookkeeper spent several weeks in storage, digging up backup documents for the ten years' worth of costs Plaintiffs incurred in this matter. Plaintiffs and the Perri Defendants are very close to having a final version of the settlement agreement.

As you were advised a month ago, Plaintiffs resolved their dispute in principle with Defendant Peter Rossi. So as to speed up the resolution of the matter, Counsel for Rossi agreed to use the text of the settlement agreement with the Perri Defendants as a master document. We believe that we should have a final text of the document within ten days or so.

Finally, counsel for the parties are in the process of executing a consent to Your Honor's jurisdiction.


Given these developments, counsel for the parties believe that they will be able to resolve all textual issues, have the settlement documents executed and file the *Cheeks* motion.

Granted - deadline for
cheeks submission
extended to March 31, 2020.

Respectfully submitted,

/s/Robert Wisniewski
Robert Wisniewski

SO ORDERED:


HON. ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE